IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10070 of 2004

Between:

1 Kante Venkateswarulu, S/o Appa Rao,
R/o Gandhi Bhomma Center, Manuguru village and Mandal,
Khammam District.
2 Kante Kiran Kumar, S/o Appa Rao,
R/o Gandhi Bhomma Center, Manuguru Village and Mandal,
Khammam District

..... PETITIONER(S)

AND

1 The District Collector, Khammam, Khammam District.
2 The Revenue Divisional Officer, Khammam, Khammam District.
3 The Mandal Revenue Officer, Manuguru Village & mandal, Khammam
District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in evicting the petitioners from the land in Sy.No.156 to an extent of Ac.3-20 gts. situated at Annaram Village, Manuguru Mandal, Khammam District as bad, arbitrary apart from violation of principles of natural justice and also offends Articles 14 and 21 of the Constitution of India.

For the Petitioner : MS.M.VIDYAVATHI -Advocate

For the Respondents : G.P. FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The present writ petition is filed questioning the action of the respondents in evicting the petitioners from the land in survey No.156 admeasuring Ac.3-20 guntas, Annaram village, Manuguru village, Khammam District.

The petitioners claims to be in possession and enjoyment of the subject property and eking out their lives by cultivating the same. It is stated that the respondents are said to have conducted a survey and fixed the boundaries to an extent of land measuring Ac.3-20 guntas in Survey No. 156 , Annaram village, without issuing any notice to the petitioners. The complaint of the petitioners is that the respondents are trying to assign their land to some third parties, without issuing any notice or opportunity to them.

Learned Government Pleader for Revenue submitted that the present writ petition is filed only on an apprehension and no steps were initiated by the respondents to acquire the land of the petitioners. It is further stated that in case the land of the petitioners is required by the respondents, due process stipulated under law would be followed.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed for final disposal of the writ petition.

In the circumstances the writ petition is disposed of with a direction that the respondent shall not dispossess the petitioners without following the due process of law. No costs.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Khammam, Khammam District.
2 The Revenue Divisional Officer, Khammam, Khammam District.
3 The Mandal Revenue Officer, Manuguru Village & mandal, Khammam
District.
4 Two CCs to the Govt. Pleader for Revenue, High Court of A.P., Hyderabad (OUT).
5 Two CD copies

TVK